

**From:** [Chang, Lisa](#)  
**To:** [Fidis, Alexander](#); [Fullagar, Jill](#); [Burgess, Karen](#)  
**Cc:** [Bonifacino, Gina](#); [Bonifaci, Angela](#); [Croxtton, Dave](#); [Steiner-Riley, Cara](#)  
**Subject:** FW: What's Upstream Web Site  
**Date:** Tuesday, September 22, 2015 7:49:00 AM  
**Attachments:** [20150916\\_WUS-Elected Letter.docx](#)  
[20150916\\_WUS-HomepageContent.docx](#)

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Hi Karen, Alex, and Jill –

A few weeks ago, I asked you for your review of a website mock-up and letter being prepared by the recipient of a subaward under one of our cooperative agreement recipients. Thank you for the comments you provided at that time!!

The grantee has revised the mock-up and letter and sent it back to us (attached). Can you please take one more look and let me know if you see any remaining issues of concern?

On a quick glance, they don't seem to have incorporated all our edits relating to permitting/regulatory requirements. They have also not provided support for some assertions about the characteristics of agricultural NPS pollution.

If at all possible, can you please look at this by **Monday 9/28 COB?**

Thank you,

Lisa

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**From:** Marty Loesch [mailto:martyl@strategies360.com]  
**Sent:** Wednesday, September 16, 2015 1:32 PM  
**To:** Bonifaci, Angela; Chang, Lisa; Opalski, Dan  
**Cc:** lwasserman@swinomish.nsn.us; Jeff Reading  
**Subject:** What's Upstream Web Site

Dan, Angela and Lisa,

Thank you for your guidance over the past several months regarding the Swinomish Tribal Indian Community's What's Upstream public information campaign about non-point source pollution. We have reviewed your thoughtful suggested edits to our content, and have incorporated many of them in the final versions of text for the website and the letter to elected officials, which you will find attached.

The updated website will go live by the end of October, and, we believe, is stronger as a result of your team's input. Thank you again for your assistance and support of this important ongoing project.

All the best,  
Marty



### **Draft letter to elected officials**

Everyone knows that clean water is essential for our health, and is especially critical for our children. Cold, clean water is also essential to the health of our fish and shellfish.

But what's far less well-known is that many farming practices commonly used in our state practices send harmful pollutants into our waterways, which are degrading our water, destroying vital habitat and endangering our fish.

Farming right to the edge of our streams allows pesticides, fertilizers, and land-applied manure to enter into our waterways, and is Washington's largest source of stream pollution.

This is because our state has no permit system in place to regulate many agricultural practices. Unlike other industries, protecting our waterways from polluted run-off is voluntary for the agriculture industry, and farmers are merely encouraged to use "best management practices."

***The voluntary approach that has been tried for decades is insufficient.*** When public opinion research shows that three-quarters of Washingtonians support stronger laws protecting the health of our water resources in Washington, and most Washingtonians believe that protecting our water resources is even more important than growing our economy, it is time to recognize that voluntary approaches alone are not working and the public is ready to prioritize strong water resource protection.

One effective solution is the establishment of streamside buffers. Other industries that work with the land, such as timber harvesters and developers, are required to use streamside buffers to prevent stream pollution. Adequate buffers can help the agriculture industry do its part to protect our water resources, too. The science is overwhelming: one-hundred feet of natural vegetation between farmland and our waterways would keep most pesticides, fertilizers, cows and manure out of our streams, and it would promote healthy habitat for our fish.

This issue has received little attention from the Legislature to date, but should. Fully two-thirds of Washingtonians support 100-foot natural buffers between agriculture lands and streams.

It's time to clean up our streams, for healthy fish, healthy farms and healthy families. State government must hold the agricultural industry to the same level of responsibility as other industries in order to keep our rivers fishable, swimmable and drinkable for years to come.

Sincerely,

### **KUOW underwriting advertisement copy**

Support for KUOW comes from What's Upstream dot com, a coalition of Washington clean water advocates working to protect salmon rivers and streams by addressing agricultural pollution as a major cause of pollution in salmon bearing streams. Clean water in Puget Sound starts with clean water upstream. More at What's upstream dot com.

## Take Action! We've made it simple:

1. **CLICK HERE** to tell your legislators it's time for stronger protection of our water
2. Use our pre-written letter or customize it to your liking
3. Hit send!

Polluters of our waterways should be held accountable for their impacts on our water, our health and our fish.

### The Problem

Clean water is essential for our health, and especially critical for our children. Cold, clean water is also essential to the health of our fish and shellfish<sup>1</sup>.

That's why, in 1972, Congress passed the landmark Clean Water Act and set the goal of "fishable, swimmable, and drinkable" for all our nation's waterways, declaring that "the discharge of pollutants into the navigable waters be eliminated by 1985."

But, throughout the country, we are far from meeting this goal -- including right here in Washington. One major reason: the agriculture industry has been exempted from federal rules designed to achieve this goal, and our state has no permit system in place to regulate many agricultural practices.

A number of these unrelated agricultural practices send harmful pollutants<sup>2</sup> into our waterways, degrading our water, destroying vital habitat and endangering our fish.

Other industries that use land -- such as timber harvesting and land development -- operate under regulatory requirements and permitting systems to protect our waterways. For agriculture, however, protecting our waterways from polluted run-off is voluntary, and farmers are merely encouraged to use "best management practices."

The voluntary approach that has been tried for decades is insufficient. A recent GAO report of nationwide trends finds that "at historical funding levels and water body restoration rates, it would take longer than 1,000 years to restore all the water bodies that are now impaired by non-point source pollution."

And according to the Environmental Protection Agency, "agricultural nonpoint source pollution was the leading source of water quality impacts on surveyed rivers and lakes, the second largest source of impairments to wetlands, and a major contributor to contamination of surveyed estuaries and ground water."

In Washington, over three quarters of state water pollution clean-up funds were used to clean up waters contaminated by agriculture.

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<sup>1</sup> Doc 17, page 68:

<sup>2</sup> Doc 17, page 86

## Negative Effects

Many farms use chemical pesticides, fertilizers and manure. Unlined manure lagoons at feedlots leach into groundwater aquifers, often contaminating neighboring wells. Farming to the edge of our streams causes pesticides, fertilizers, and land-applied manure to enter into our waterways, which can result in harmful impacts to:

**Fish Health**– [Learn More](#)

**Stream Health** – [Learn More](#)

**Public Health** – [Learn More](#)

## The Solution

**The answer is simple.**

Streamside buffers help other industries, such as timber harvesting and land development, dramatically reduce stream pollution.

Mandatory buffers can help the agriculture industry do its part to protect our water resources, too.

Requiring 100 feet of natural vegetation between farmland and our waterways would keep most pesticides, fertilizers, cows and manure out of our streams. Trees and other natural vegetation alongside our waterways would promote healthy habitat for salmon.

**[Learn More About Riparian Buffers >](#)**

According to opinion polls conducted among 600 Washingtonians in 2012 and again in 2014 (margin of error of plus/minus 4 percent):

**Three-quarters of Washingtonians** are concerned about the impact of agricultural practices on our water resources.

**Three-quarters of Washingtonians** support stronger laws protecting the health of our water resources in Washington.

**Most Washingtonians** believe that protecting our water resources is even more important than growing our economy. Only about a third of Washingtonians believe economic growth is more important than clean water.

**Two-thirds of Washingtonians** support 100-foot natural buffers between agriculture lands and streams.

1. Grazing cattle, pesticides, manure, and fertilizer run-off contaminate rivers and streams, deplete water quality, erode riverbanks and harm habitat.
2. By creating a 100 foot riparian buffer, we can stabilize stream banks and foster vegetation critical for water quality and salmon health.
3. Riparian buffers are a simple, natural way to mitigate much of the harm caused by pesticides, fertilizers, and tilling and grazing at the edge of waterways and streams.

We must ensure that our children and future generations have water that is fishable, swimmable and drinkable.

Contact your local elected officials  
and tell them to keep polluted run-off  
out of our waterways. >

Have you witnessed an incident  
of harmful water pollution?  
Report it [here!](#)

## Our Partners

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## About Us

What's Upstream? is a project of the Center for Environmental Law and Policy, the Environmental Protection Agency, the People for Puget Sound, Puget Soundkeeper Alliance, the Puget Sound Partnership, the Swinomish Tribal Indian Community, the Western Environmental Law Center, and the Washington Environmental Council. Our goal is to inform the public about leading causes of water pollution and how that pollution affects the health of Washington's waterways, people and fish. The What's Upstream project is made possible by a grant from the Environmental Protection Agency.

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If you have any questions please contact us:  
[info@whatsupstream.com](mailto:info@whatsupstream.com)

## RESEARCH PAGE

The [Clean Water Act](#) of 1972 is the primary way the federal government prevents pollution from entering our waterways.

The Clean Water Act set a national goal of ensuring that all our waterways are fishable, swimmable, and drinkable. But are they? Major exemptions to the law granted to the agriculture industry are putting this goal at risk – in addition to the health of our fish, our waters and our people.

### **Fish Health – Are Our Waterways Fishable?**

Many sources lead to pollution impairments of Washington's waterways, but agriculture is the largest. Cow manure, pesticide and fertilizer run-off, and agricultural practices that disturb riparian habitat increase stream temperatures and decrease dissolved oxygen levels, which is deadly for salmon and shellfish.

- D-051871

In 1991, the federal government listed Snake River sockeye salmon as endangered. In the next few years, 16 more populations of salmon in Washington were listed as either threatened or endangered because of polluted habitat, not harvest. Habitat is not improving, even under the Endangered Species Act.

- [Washington Department of Fish & Wildlife: Salmon Recovery and Restoration](#)

### **Stream Health – Are Our Waterways Swimmable?**

A recent GAO report of nationwide trends finds that "at historical funding levels and water body restoration rates, it would take longer than 1,000 years to restore all the water bodies that are now impaired by non-point source pollution."

- [GAO Report: Clean Water Act: Changes Needed If Key EPA Program Is to Help Fulfill the Nation's Water Quality Goals](#)

### **Public Health – Are Our Waterways Drinkable?**

Manure contains nitrates, which are contaminants that produce immediate (within hours or days) health effects upon exposure. High doses can cause pregnant mothers to miscarry and can cause babies to get "blue baby syndrome" (methemoglobinemia), which can be fatal. High nitrate levels may also increase the risk of spontaneous abortions and other birth defects.

- Andrea's documents
- Andrea's map of Puget Sound Concentrated Animal Feeding Operations (CAFOs)

### **Habitat Health – How Riparian Buffers Ensure Our Waterways Are Fishable, Swimmable and Drinkable and Protect Us from Agricultural Pollution**

Streamside habitat is critical for good water quality and salmon health. Riparian vegetation provides shade to stream channels, contributes large woody debris to streams, adds small

organic matter to streams, stabilizes stream banks, controls sediment inputs from surface erosion, and regulates nutrient and pollutant inputs to streams. Riparian buffers can mitigate much of the harm caused by pesticides, fertilizers, and farming and grazing to the edge of waterways and streams.

- Doc 22
- Doc 23
- Doc 28
- Mantech Chapter 6

## **Washington's Current Regulations**

All states are required to implement the federal Clean Water Act. Washington's current regulatory framework for protecting our waterways from pollution is the product of a handful of separate statutes.

A summary of the state's plan to address non-point source pollution can be found [here](#).

The state's voluntary water quality "Best Management Practices" for agriculture can be found [here](#).

## **Water Quality Improvement Plans**

The state Department of Ecology currently manages 62 water quality improvement projects throughout Washington. To learn more or find out about the project nearest to you, click [here](#).

## **Public Opinion**

What's Upstream? partners have conducted opinion research among Washingtonians over the past three years about the importance of clean and healthy waterways. A summary of the results is included below.

- Summary page